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Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Albania, Andorra,* Angola,* Argentina,* Australia*, Austria,* Belgium, Bosnia and Herzegovina,* Bulgaria,* Canada,* Côte d'Ivoire, Cyprus,* Czech Republic,* Denmark,* Ecuador, Estonia,* Finland,* France, Georgia, Germany,* Haiti,* Honduras,* Hungary,* Iceland,* Italy,* Latvia, Liechtenstein,* Luxembourg,* Monaco,* Mexico, Montenegro,* Norway,* Peru,* Philippines, Portugal, Republic of Moldova, Romania,* Serbia,* Slovenia, Spain,* Sweden,* Switzerland, Thailand,* the former Yugoslav Republic of Macedonia, Turkey,* Ukraine,* United States of America,* Uruguay:* draft resolution

32/... Accelerating efforts to eliminate violence against women: preventing and responding to violence against women and girls, including indigenous women and girls

The Human Rights Council,

Reaffirming the purposes and principles of the Charter of the United Nations and the Universal Declaration of Human Rights,

Recalling the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child, the Convention on the Rights of Persons with Disabilities and the International Convention on the Elimination of All Forms of Racial Discrimination, and noting the relevant recommendations of the Committee on the Elimination of Discrimination against Women,

Reaffirming the Vienna Declaration and Programme of Action, the Declaration on the Elimination of Violence against Women, the Beijing Declaration and Platform for Action and the Programme of Action of the International Conference on Population and Development, and the outcomes of their review conferences,

Welcoming the World Health Organization global plan of action to strengthen the role of the health system within a national multisectoral response to address interpersonal violence, in particular against women and girls, and against children, building on existing

* State not a member of the Human Rights Council.

work of the World Health Organization, in particular its call for the prevention and elimination of all forms of sexual and gender-based violence in public and private life,

Recalling all relevant resolutions of the Human Rights Council, the Commission on Human Rights, the General Assembly and the Security Council, including those on women, peace and security and on children in armed conflict, and the relevant resolutions and agreed conclusions of the Commission on the Status of Women, which affirmed that all forms of violence against women must be condemned and eliminated,

Recalling also the adoption by the General Assembly of the United Nations Declaration on the Rights of Indigenous Peoples in its resolution 61/295 of 13 September 2007,

Outraged by the continued persistence and pervasiveness of all forms of violence against women and girls worldwide, including intimate partner violence, and emphasizing that such violence is a violation, abuse or impairment of human rights and, as such, is completely unacceptable,

Welcoming the agreed conclusions adopted by the Commission on the Status of Women at its sixtieth session and of previous sessions, and its decision to consider the issue of the empowerment of indigenous women at a future session, and acknowledging its intention to make this issue a focus of its sixty-first session,

Welcoming also the commitment made by States to achieve gender equality and the empowerment of all women and girls in the 2030 Agenda for Sustainable Development[1] and the Addis Ababa Action Agenda,[2] in particular the commitment to eliminate all forms of violence against them,

Recognizing the importance of the United Nations Entity for Gender Equality and the Empowerment of Women and its role in leading, coordinating and promoting the accountability of the United Nations system in its work on gender equality and the empowerment of women and girls,

Recalling the outcome document of the World Conference on Indigenous Peoples,[3] in which States committed to intensifying efforts, in cooperation with indigenous peoples, to prevent and eliminate all forms of violence and discrimination against indigenous peoples and individuals, in particular women, children, youth, older persons and persons with disabilities, by strengthening legal, policy and institutional frameworks, and recalling the work of indigenous-specific United Nations mechanisms in addressing violence against women and girls,

Acknowledging the important role played by regional conventions, instruments, declarations and initiatives, such as the Convention on preventing and combating violence against women and domestic violence (the Istanbul Convention), the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol) and the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (the Convention of Belém do Pará) to combat violence against women and girls, including indigenous women and girls,

Reiterating the need to intensify efforts at all levels to prevent and eliminate all forms of violence against women and girls, including intimate partner violence, throughout the world, and stressing that women's economic, political and social empowerment is

[1] General Assembly resolution 70/1.

[2] General Assembly resolution 69/313, annex.

[3] General Assembly resolution 69/2.

essential for preventing violence and addressing the underlying causes of violence against women and girls, including indigenous women and girls,

Recognizing that violence against indigenous women and girls cannot be separated from the wider context of discrimination and exclusion to which indigenous persons are often exposed in social, economic, cultural and political life, and deeply concerned about indications that indigenous women and girls are disproportionately affected by violence, including sexual violence, given the multiple and intersecting forms of discrimination to which they may be exposed,

Recognizing also the increased vulnerability of those who are subject to multiple and intersecting forms of discrimination, such as older women, indigenous women, migrant women and women with disabilities, and the particular risk of violence they face, and stressing the urgent need to address violence and discrimination against them,

Deeply concerned that all women and girls, including indigenous women and girls, face a heightened risk of sexual and gender-based violence during times of conflict and humanitarian crises,

Recognizing that violence against women and girls is rooted in historical and structural inequality in power relations between women and men, and that all forms of violence against women and girls constitute a major impediment to their full, equal and effective participation in society, the economy and political decision-making,

Expressing concern at long-standing institutional and structural discrimination against women and girls, including indigenous women and girls, such as laws, policies, regulations, programmes, administrative procedures or structures, services and practices that directly or indirectly restrict access to institutions, property and landownership, health-care services, education, employment and access to credit, which negatively affect their empowerment and increase their vulnerability to violence,

Reaffirming as stated in the United Nations Declaration on the Rights of Indigenous Peoples that indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security,

Alarmed at the high level of impunity with regard to gender-related killings of women and girls, including indigenous women and girls, and recognizing the key role of the criminal justice system in preventing and ending impunity for such crimes,

Concerned that indigenous women and girls may be disproportionately represented in criminal justice systems, and as a result of intersecting discrimination may be more vulnerable to violence in detention or custodial settings,

Recognizing that the absence of adequate gender statistics, including data disaggregated by, inter alia, sex, age and disability, and of specific data on the incidence of violence against women and girls, its context and its perpetrators impedes efforts to design specific intervention strategies to address both the causes and the consequences of violence against women and girls, and to ensure coordinated and consolidated efforts to address gender data gaps,

Expressing concern at the low levels of birth registration among indigenous women and girls, and taking into consideration that registering a person's birth is a vital step towards the promotion and protection of all of his or her human rights, and that persons without birth registration may be more vulnerable to marginalization, exclusion, discrimination, violence, statelessness, exploitation and abuse,

Underscoring that the duty of States to exercise due diligence to provide protection to women and girls, including indigenous women and girls, who have been subjected to or are at risk of violence, includes using all appropriate means of a legal, political, administrative and social nature to provide access to justice, health care and support services that respond to their immediate needs, protect against further harm and continue to address the ongoing consequences of violence for women and girls, including indigenous women and girls, taking into consideration the impact of violence on their families and communities,

1. *Stresses* that "violence against women" means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women and girls of any age, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life, and notes the economic and social harm caused by such violence;

2. *Strongly condemns* all acts of violence against women and girls, including against indigenous women and girls, whether these acts are perpetrated by the State, private persons or non-State actors, and calls for the elimination of all forms of sexual and gender-based violence, including where perpetrated or condoned by the State, as described in the Declaration on the Elimination of Violence against Women;

3. *Underscores* that violence against women and girls, including indigenous women and girls, whether committed in the public or private sphere, is a matter of grave public concern and that States have the primary responsibility for protecting and promoting the human rights of women and girls, and in this respect strongly urges States to take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy full protection and guarantees against all forms of violence and discrimination in policy and in practice;

4. *Continues to express particular concern* at the systemic and structural discrimination and violence faced by women human rights defenders of all ages, including indigenous women and girl human rights defenders, and calls upon all States to exercise due diligence in preventing violations and abuses against all human rights defenders, including through practical steps, to prevent threats, harassment and violence against women human rights defenders, who face particular risks, and in combating impunity by ensuring that those responsible for violations and abuses, including gender-based violence and threats against women human rights defenders, committed by State or non-State actors, including online, are promptly brought to justice through impartial investigations;

5. *Expresses concern* that domestic violence, including intimate partner violence, is the most prevalent and least visible form of violence against all women and girls, and that its consequences are long-lasting and profound, and affect many areas in the lives of victims and their communities;

6. *Recognizes* the critical role of women and girls, including indigenous women and girls, as agents of change, and in this regard urges States to engage and consult with indigenous women and girls as active and equal participants in the planning, design and implementation of legislation, policies and programmes;

7. *Calls upon* States to take effective action to prevent violence against women and girls, including indigenous women and girls, by:

(a) Developing, reviewing and strengthening inclusive policies, including by allocating adequate resources to address the historical, structural and underlying causes and risk factors of violence against women and girls, including indigenous women and girls, and ensuring that laws and policies are harmonized to address widespread violence against women and are in compliance with their international human rights obligations;

(*b*) Abolishing practices and legislation that discriminate against women and girls, including indigenous women and girls, eliminating prejudices, harmful practices, and gender stereotypes, and raising awareness of the unacceptability of violence against women and girls;

(*c*) Taking measures to empower women by, inter alia, strengthening their economic autonomy and ensuring their full and equal participation in society and in decision-making processes by adopting and implementing social and economic policies that guarantee women full and equal access to quality education, including comprehensive sexuality education, and training, and affordable and adequate public and social services, as well as full and equal access to financial resources and decent work, and full and equal rights to own and to have access to and control over land and other property, and guaranteeing women's and girls' inheritance rights;

(*d*) Removing gender bias and other forms of discrimination from the administration of justice, and enhancing the capacity of law enforcement officials to deal appropriately with all forms of violence against women and girls, including against indigenous women and girls, by providing systematic gender sensitivity training, as appropriate, for police and security forces, prosecutors, judges and lawyers, integrating gender considerations into security sector reform initiatives, developing protocols and guidelines, and enhancing or putting in place appropriate accountability measures for adjudicators;

(*e*) Engaging, educating, encouraging and supporting men and boys to take responsibility for their behaviour and to become active partners in the prevention and elimination of all forms of discrimination and violence against all women and girls, including indigenous women and girls, and to end the stigmatization of victims and survivors of violence by encouraging a change in attitudes, perceptions of masculinity, gender stereotypes and other norms and behaviour through the promotion of gender equality;

(*f*) Measuring the effectiveness of policies and programmes to prevent violence against women and girls, including by carrying out regular evaluation and monitoring, and ensuring that they do not put indigenous women and girls at any additional risk;

(*g*) Ensuring free birth registration, including free or low-fee late birth registration, and further identifying and removing physical, administrative, procedural and any other barriers that impede access to birth registration, particularly barriers faced by indigenous women and girls, ensuring adequate training, and increasing, as needed, the accessibility of birth registration facilities;

8. *Urges* States to condemn strongly and publicly all forms of violence against women and girls, including indigenous women and girls, and to refrain from invoking any custom, tradition or religious consideration to avoid their obligations with respect to its elimination, including harmful practices, such as child, early and forced marriage and female genital mutilation;

9. *Also urges* States to ensure the promotion and protection of the human rights of all women and their sexual and reproductive health and reproductive rights, in accordance with the Programme of Action of the International Conference on Population and Development, the Beijing Platform for Action and the outcome documents of their review conferences, including through the development and enforcement of policies and legal frameworks and the strengthening of health systems that make universally accessible and available quality, comprehensive sexual and reproductive health-care services, commodities, information and education, including, inter alia, safe and effective methods of modern contraception, emergency contraception, prevention programmes for adolescent pregnancy, maternal health care, such as skilled birth attendance and emergency obstetric

care, which will reduce obstetric fistula and other complications of pregnancy and delivery, safe abortion where such services are permitted by national law, and prevention and treatment of reproductive tract infections, sexually transmitted infections, HIV and reproductive cancers, recognizing that human rights include the right to have control over and decide freely and responsibly on matters related to their sexuality, including sexual and reproductive health, free from coercion, discrimination and violence;

10. *Further urges* States to take effective measures in support of the right of indigenous peoples, without discrimination, to the improvement of their economic and social conditions, including in, inter alia, the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security, as referred to in the United Nations Declaration on the Rights of Indigenous Peoples;

11. *Encourages* States to work with women, including indigenous women, to stimulate their access to economic activities and to increase their level of employment, and to implement measures such as training, the provision of technical assistance and credit facilities;

12. *Also encourages* States to improve the collection, harmonization and use of data disaggregated by sex, administrative data, including, where appropriate, from the police, the health sector and the judiciary, on incidents of all forms of violence against women and girls, including against indigenous women and girls, such as data on the relationship between the perpetrator and victim and geographic location, ensuring that confidentiality and ethical and safety considerations are taken into account in the process of data collection, and improving the effectiveness of the services and programmes provided and protecting the safety and security of the victim;

13. *Encourages* the media to examine the impact of gender-role stereotypes, including those perpetuated by commercial advertisements that foster gender-based violence and inequalities, to promote zero tolerance for such violence and to remove the stigma of being a victim and survivor of violence, thus creating an enabling and accessible environment where women and girls can easily report incidents of violence and make use of the services available, including protection and assistance programmes;

14. *Calls upon* States to take effective action to respond to violence against women and girls, including indigenous women and girls, and to protect all victims and survivors by:

(*a*) Taking practical and concrete steps to create an enabling environment where women and girls can easily report incidents of violence, including by providing law enforcement officials, health-care providers and other first responders with human rights training to ensure services that are responsive to trauma and free from discrimination;

(*b*) Adopting and funding policy reforms and programmes, and supporting education, in order to sensitize, train and strengthen the capacity of public officials and professionals, including the judiciary, the police and the military, as well as those working in the areas of education, health, social welfare, justice, defence and immigration, and holding public officials accountable for not complying with laws and regulations relating to violence against women and girls, in order to prevent and respond to such violence in a gender-sensitive manner, to end impunity and to avoid the abuse of power leading to violence against women and the revictimization of victims and survivors;

(*c*) Establishing comprehensive, coordinated, interdisciplinary, accessible and sustained multisectoral services, programmes and responses at all levels, and with the support of all available technologies, for all victims and survivors of all forms of violence against women and girls based on their needs, that are adequately resourced and include effective and coordinated action by, as appropriate, the police and the justice sector, legal

aid services, health-care services, including sexual and reproductive health, and medical, psychological and other counselling services, including specialist services as appropriate, State and independent women's shelters and counselling centres, 24-hour hotlines, social aid services, one-stop crisis centres, immigration services, child services, public housing services to provide low-threshold, easy-to-reach and safe assistance for women and children, as well as assistance, protection and support through access to long-term accommodation, educational, employment and economic opportunities, and to take steps to ensure the safety and security of health-care workers and service providers who assist and support victims and survivors of violence and, in cases of girl victims, to ensure that such services and responses take into account the best interests of the child;

(*d*) Adopting measures to raise the awareness of women and girls, including indigenous women and girls, and in particular those at known risk of sexual and gender-based violence, of their rights, the law and the protection and legal remedies it offers, including by disseminating information on the assistance available to women and families that have experienced violence, and ensuring that timely and appropriate information is available to all women and girls who have been subjected to violence, when possible in a language in which they can effectively communicate, and at all stages of the justice system;

(*e*) Ensuring women's and girls', including indigenous women's and girls', unimpeded access to justice, effective legal assistance and information regarding their human rights without discrimination so that they have access to just and effective remedies for the harm that they have experienced, including through the adoption of national legislation;

(*f*) Ensuring that remedies for women and girls subjected to violence, whether judicial, administrative, policy or other measures, are available, accessible, acceptable, age- and gender-sensitive and adequately address victims' needs, including by protecting confidentiality, preventing the stigmatization, revictimization or further harm to victims, allowing reasonable time for women subjected to violence to come forward to seek redress, ensuring reasonable evidentiary standards;

(*g*) Developing and implementing the establishment of rehabilitative services in order to encourage and bring changes in the attitudes and behaviour of perpetrators of violence against women and girls and to reduce the likelihood of reoffending, and to monitor and assess their impact and effect;

15. *Calls upon* States to consider ratifying or acceding to the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Rights of the Child and the International Convention on the Elimination of All Forms of Racial Discrimination and the optional protocols thereto, and to cooperate through regional conventions, instruments and initiatives to prevent and respond effectively to violence against women and girls;

16. *Welcomes* the mandate and the work of the Special Rapporteur on violence against women, its causes and consequences, and takes note of her report,[1] in which she sets out the priorities of her mandate;

17. *Decides* to extend the mandate of the Special Rapporteur on violence against women, its causes and consequence, as set out by the Human Rights Council in its resolution 16/7 of 24 March 2011, for a period of three years;

[1] A/HRC/32/42 and Corr.1

18. *Encourages* other special procedures to consider the issue of multiple and intersecting forms of discrimination and vulnerabilities faced by women and girls, including indigenous women and girls, in their respective mandates;

19. *Welcomes* the panel discussion on violence against women and girls, held during the annual full-day discussion on women's human rights at the thirty-second session of the Human Rights Council, and requests the Office of the United Nations High Commissioner for Human Rights to present a summary report on the discussion to the Council at its thirty-third session;

20. *Requests* the Special Rapporteur on violence against women, its causes and consequences to attend and participate in one session annually, upon invitation, of the Commission on Crime Prevention and Criminal Justice of the United Nations Office on Drugs and Crime in order to accelerate the implementation of the goals of the Special Rapporteur on prevention of and response to violence against women;

21. *Encourages* regular consultations by the Special Rapporteur on violence against women, its causes and consequences, with the World Health Organization, the United Nations Entity for Gender Equality and the Empowerment of Women, the United Nations Population Fund and the Statistics Division of the United Nations on the issue of disaggregated data on violence against women and effective ways of advancing the elimination of violence against women;

22. *Decides* to continue its consideration of the issue of the elimination of all forms of violence against women and girls, its causes and consequences, as a matter of high priority, in conformity with its annual programme of work.